

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

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OPINION 366

Suppression, under the Plenary Powers, of the specific name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata*, for the purpose of rendering the specific name *polysticta* Cope, 1865, as published in the combination *Caudisona polysticta*, the oldest available name for the Mexican Lance-Headed Rattlesnake (Class Reptilia, Order Squamata)

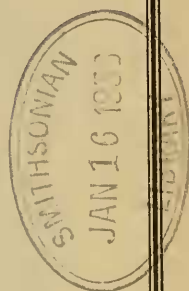
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 366

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Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

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(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

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Mr. P. C. SYLVESTER-BRADLEY (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

OPINION 366

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAME "MULTIMACULATA" JAN, 1863, AS PUBLISHED IN THE COMBINATION "CROTALUS LUGUBRIS VAR. MULTIMACULATA", FOR THE PURPOSE OF RENDERING THE SPECIFIC NAME "POLYSTICTA" COPE, 1865, AS PUBLISHED IN THE COMBINATION "CAUDISONA POLYSTICTA", THE OLDEST AVAILABLE NAME FOR THE MEXICAN LANCE-HEADED RATTLESNAKE (CLASS REPTILIA, ORDER SQUAMATA)

RULING :—(1) Under the Plenary Powers the name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 506 and 507 respectively :—

(a) *polysticta* Cope, 1865, as published in the combination *Caudisona polysticta* ;

(b) *triseriatus* Wagler, 1830, as published in the combination *Uropsophus triseriatus*.

(3) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name No. 130 :—*multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata* and as suppressed under the Plenary Powers under (1) above.

I. THE STATEMENT OF THE CASE

On 9th April 1951, Dr. Laurence M. Klauber (*San Diego, California, U.S.A.*) submitted to the Commission the following application for the suppression under the Plenary Powers of the name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata*, for the purpose of preserving the name *polysticta* Cope, 1865, as published in the combination *Caudisona polysticta*, as the name for the Mexican Lance-Headed Rattlesnake :—

Proposed use of the Plenary Powers to preserve the trivial name "polysticta" Cope, 1865 (as published in the combination "Caudisona polysticta") for the Mexican Lance-Headed Rattlesnake, by suppressing the trivial name "multimaculata" Jan, 1863 (as published in the combination "Crotalus lugubris var. multimaculata")
(Class Reptilia, Order Squamata)

By LAURENCE M. KLAUBER

(*San Diego, California, U.S.A.*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to suppress the trivial name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata* (Class Reptilia, Order Squamata), thereby preserving the trivial name *polysticta* Cope, 1865, as published in the combination *Caudisona polysticta*, the name now and for many years universally employed (in the combination *Crotalus polystictus*) for the Mexican lance-headed rattlesnake. The details of this case are set out in the following paragraphs.

2. In 1865, Cope (: 191) described the Mexican lance-headed rattlesnake as *Caudisona polysticta*, and this name has been almost universally applied (in the combination *Crotalus polystictus*) to this snake ever since. Indeed, there has since been only a single synonym allocated to this species, this being *Crotalus jimenezii* Dugès, 1877 (: 23). Yet without doubt, under a strict interpretation of the Rules, the proper name for this snake is *Crotalus multimaculatus* Jan, 1863.

3. In 1859, Jan (pp. 153, 156 : or, in separate form, pp. 28, 30, 31) described *Crotalus lugubris* based on four syntypes, two of which were in the Milan collection, one in the Westphal-Castelnau collection, and one in the Natural History Museum in Paris. Jan's nominal species *Crotalus lugubris* was a composite. The two Milan specimens belonged

to the species now known as *Crotalus triseriatus* Wagler, 1830 (: 176), and the Paris specimen probably did likewise. But the Westphal-Castelnau specimen belonged to the same species as Cope's *Crotalus polystictus*, as can be readily determined from a figure of this specimen that appeared later (1874, Jan and Sordelli 46 : pl. III, fig. 3).

4. In 1940 in an endeavour to protect Cope's name *polystictus* from becoming a junior synonym of the older name *lugubris* of Jan, I selected one of the Milan specimens as the lectotype of *lugubris*, thus placing the latter in the synonymy of *triseriatus* Wagler, 1830 (Klauber : 17). In 1939 I corresponded with Dr. Guiseppe Scortecci of the Museo Civico de Storia Naturale of Milan, from whom I ascertained that Jan's two specimens were still available (they were subsequently destroyed in the war), and I then secured photographs of the better preserved of the two, this being the specimen numbered "Milan 1414". From these pictures it was possible to determine that this specimen was conspecific with *Crotalus triseriatus* Wagler, as the latter nominal species has been interpreted during the past 100 years or more. Thus, by making the specimen "Milan 1414" the lectotype of *Crotalus lugubris* Jan, 1859, this name was eliminated as a possible antecedent of *polystictus* Cope, 1865.

5. In 1863, Jan (: 124) published the trivial name *multimaculata* for a variety [subspecies] of *Crotalus lugubris*. I have previously stated (1940 : 17) that this was a *nomen nudum*, but I now believe this to have been an error ; for Jan, although supplying no description of *multimaculata* in his 1863 publication, lists the Westphal specimen as the type specimen of *multimaculata* and this is certainly an "indication" under Art. 25a (see also 1950, *Bull. zool. Nomencl.* 4 : 149). The "indication" is, of course, to the description of the Westphal specimen that appeared in 1859 (p. 157, or p. 32 of the separate), which description, giving dimensions and some scale counts, was as complete as many of the old snake descriptions that are deemed valid today. Thus, in summary, we have a name applied to a specimen previously described, all of which appeared in print prior to the advent of the trivial name *polysticta*, Cope, 1865.

6. Hence I believe that, under a strict application of the Rules, the correct name for the Mexican lance-headed rattlesnake is *Crotalus multimaculatus* (Jan, 1863), of which the name *Crotalus polystictus* (Cope, 1865) becomes a junior subjective synonym. The displacement in this way of the trivial name *polystictus* would be highly undesirable, as that name has been used consistently and almost universally for this snake for many years, while the name *multimaculatus* Jan is virtually unknown in the literature. Therefore I believe that this is a case where the Commission should use its Plenary Powers for the purpose of preventing the confusion which would follow the strict application of the Rules, now that it has been given extended powers for the protection of trivial names in common use.

7. The concrete proposals which are therefore now submitted are that the International Commission on Zoological Nomenclature should :—

- (1) use its Plenary Powers to suppress, for the purposes of the Law of Priority but not for those of the Law of Homonymy, the trivial name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata* ;
- (2) place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
 - (a) *polysticta* Cope, 1865, as published in the binominal combination *Caudisona polysticta* ;
 - (b) *triseriatus* Wagler, 1830, as published in the binominal combination *Uropsophus triseriatus* ;
- (3) place the trivial name *multimaculata* Jan, 1863, as published in the combination *Crotalus lugubris* var. *multimaculata*, as proposed, under (1) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

References

- Cope, Edward D., 1865. Third Contribution to the Herpetology of Tropical America. *Proc. Acad. nat. Sci. Philad.* **17** : 185—198.
- Dugès, Alfredo, 1877. Apuntes para la Monografía de los Crotalos de México. *La Naturaleza* **4** : 1—29.
- Jan, Georg, 1859. Plan d'une Iconographie descriptive des Ophidiens. *Revue et Magasin de Zoologie* (2) **10** [part 4] : 148—157.
- , Prodrôme d'une Iconographie descriptive des Ophidiens. Paris, pp. 1—32 [a modified separate of the above ; see H. M. Smith (1943, *Trans. Kansas Acad. Sci.* **46** : 241—242)].
- , 1863. *Elenco Sistematico degli Ofidi*. Milano, pp. 1—143.
- Jan, Georg, and Sordelli, Ferdinand, 1860—81. *Iconographie générale des Ophidiens*. Milan and Paris, text pp. 1—100, and atlas of 3 volumes.
- Klauber, Laurence M., 1940. Notes from a Herpetological Diary, II. *Copeia* **1940** (1) : 15—18.
- Wagler, Johann G., 1830. *Natürliches System der Amphibien* München, Stuttgart und Tübingen, pp. 1—354.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Klauber's application, the question of the use of the Plenary Powers for the purpose of preserving the specific name *polysticta* Cope, 1865, as published in the combination *Caudisona polysticta*, to be the name for the Mexican Lance-Headed Rattlesnake, was allotted the Registered Number Z.N.(S.) 524.

3. Support received prior to the publication of the present application : In the period between the receipt of the present application and its publication in the *Bulletin of Zoological Nomenclature* support for the action under the Plenary Powers proposed was received from the following specialists and groups of specialists :—(1) Dr. C. B. Perkins (*Zoological Society of San Diego, Balboa Park, San Diego, California, U.S.A.*) ; (2) Dr. Edward H. Taylor (*University of Kansas, Department of Zoology, Lawrence, Kansas, U.S.A.*) ; (3) Professor Hobart M. Smith (*University of Illinois, Department of Zoology, Urbana, Illinois, U.S.A.*) ; (4) Dr. Karl P. Schmidt, Dr. D. Dwight Davis, and Dr. Clifford H. Pope (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*) ; (5) Dr. Charles M. Bogert (*The American Museum of Natural History, New York*) ; (6) Dr. Howard K. Gloyd (*The Chicago Academy of Sciences, Chicago, Illinois, U.S.A.*). The communications received from these specialists are reproduced in the immediately following paragraphs.

4. Support received from Dr. C. B. Perkins (Zoological Society of San Diego, Balboa Park, San Diego, California, U.S.A.) : On 9th April 1952, Dr. C. B. Perkins (*Zoological Society of San Diego, San Diego, California, U.S.A.*) addressed the following letter to the Commission in support of the present application (Perkins, 1952, *Bull. zool. Nomencl.* 9 : 156) :—

I think L. M. Klauber is correct in his contention that *Crotalus cinereus* antedates *Crotalus atrox* and also that *Crotalus multimaculatus* is the correct name for the snake now known as *Crotalus polystictus*.

However, *Crotalus atrox* and *Crotalus polystictus* have been used for many years. Changing the names would cause confusion. Therefore, I believe the Commission should place *Crotalus atrox* and *Crotalus polystictus* on the *Official List* and place *Crotalus cinereus*

and *Crotalus multimaculatus* on the *Official Index of Rejected and Invalid Names*.

5. Support received from Dr. Edward H. Taylor (University of Kansas, Department of Zoology, Lawrence, Kansas, U.S.A.) : On 16th April 1952, Dr. Edward H. Taylor (*University of Kansas, Department of Zoology, Lawrence, Kansas, U.S.A.*) intimated as follows his support for the present application (Taylor, 1952, *Bull. zool. Nomencl.* 9 : 156) :—

I have recently received from Dr. L. M. Klauber two propositions :—

(1) The Case Z.N.(S.) 523 of
Crotalus cinereus Le Conte in Hallowell, 1852, versus
Crotalus atrox Baird and Girard, 1853, and

(2) The Case Z.N.(S.) 524 of
Crotalus multimaculatus Jan, 1863, versus
Crotalus polystictus (Cope), 1865.

I heartily concur in Dr. Klauber's proposals. These are the names that Dr. Hobart M. Smith and Taylor used in their work "An Annotated Checklist and Key to the Snakes of Mexico".

I heartily trust that the Commission will accept the proposals.

6. Support received from Professor Hobart M. Smith (University of Illinois, Department of Zoology, Urbana, Illinois, U.S.A.) : On 28th April 1952, Professor Hobart M. Smith (*University of Illinois, Department of Zoology, Urbana, Illinois, U.S.A.*) addressed the following letter to the Commission in support of the present application (Smith, 1952, *Bull. zool. Nomencl.* 6 : 256) :—

It does not appear to me that *Crotalus cinereus* Le Conte, 1852, is an available name, but that upon careful consideration other conclusion is possible has been well demonstrated. In such controversial matters a complete analysis of the various interpretations involved is not needed nearly as much as a simple establishment by the Commission of the proper name. In this case there can be no question that conservation of *atrox* would best serve nomenclatural stability.

There is less reason for uncertainty regarding availability of *multimaculata*, which clearly in the interest of stability should be suppressed at the same time that *polystictus* is placed on the *Official List*.

Both the recommendations suggested by Dr. Klauber have much merit in eliminating possible causes for confusion, and commendable

also is his prompt adoption of the long-needed procedure for conserving long-recognized names which by strict application of the rules would be changed. This is certainly one of the most important advances of nomenclatorial procedure in a good many years. We can now anticipate a real decrease in the alarming rate of name changes.

7. Support received from Dr. Karl P. Schmidt, Dr. D. Dwight Davis, and Dr. Clifford H. Pope (Chicago Natural History Museum, Chicago, Illinois, U.S.A.): On 29th April 1952, Dr. Karl P. Schmidt, Dr. D. Dwight Davis, and Dr. Clifford H. Pope (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*) intimated as follows their support for the present application (Schmidt, Davis & Pope, 1952, *Bull. zool. Nomencl.* **6** : 256) :—

We wish to support the application of Dr. L. M. Klauber regarding the name *Crotalus atrox* versus *Crotalus cinereus* and *Crotalus polystictus* as against *Crotalus multimaculatus*.

8. Support received from Dr. Charles M. Bogert (The American Museum of Natural History, New York): On 6th May 1952, Dr. Charles M. Bogert (*The American Museum of Natural History, New York*) addressed the following letter to the Commission in support of the present application (Bogert, 1952, *Bull. zool. Nomencl.* **6** : 360) :—

I am writing to advise you that I am heartily in accord with Dr. L. M. Klauber's suggestion that the names *Crotalus atrox* Baird & Girard, 1853, and *Crotalus polystictus* (Cope, 1865) be placed on the *Official List of Specific Trivial Names in Zoology*, and that the names *Crotalus cinereus* Le Conte in Hallowell, 1852, and *Crotalus multimaculatus* Jan, 1853, be placed on the *Official Index of Rejected and Invalid Specific Trivial Names*.

It is eminently preferable to continue using the names *Crotalus atrox* and *Crotalus polystictus*, both of which have been long and widely used in preference to those that, in accordance with Dr. Klauber's recommendations, should be placed on the *Official Index* of rejected and invalid names.

9. Support received from Dr. Howard K. Gloyd (The Chicago Academy of Sciences, Chicago, Illinois, U.S.A.): On 29th May 1952, Dr. Howard K. Gloyd (*The Chicago Academy of Sciences, Chicago, Illinois, U.S.A.*) notified the Commission as follows of his support for the present application (Gloyd, 1952, *Bull. zool. Nomencl.* **9** : 155) :—

I am writing to express my opinion on the following two cases of nomenclature of rattlesnakes submitted to the Commission by Dr. L. M. Klauber :—

- (1) *Crotalus cinereus* Le Conte in Hallowell, 1852, versus *Crotalus atrox* Baird & Girard, 1853 ; and
- (2) *Crotalus multimaculatus* Jan, 1863, versus *Crotalus polystictus* (Cope, 1865).

.

I have not personally studied the question of *multimaculatus* versus *polystictus*, but I have read Dr. Klauber's discussion of the case with care and am quite content to accept his recommendations.

10. Publication of the present application : The present application was sent to the printer on 13th May 1952 and was published in Part 8 of volume 6 of the *Bulletin of Zoological Nomenclature* on 23rd July of that year (Klauber, 1952, *Bull. zool. Nomencl.* **6** : 236—238).

11. Issue of Public Notices : In accordance with the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 23rd July 1952 (a) in Part 8 of volume 6 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Klauber's application was published) and (b) to the other prescribed serial publications. In addition, Public Notice was given also to certain general zoological serial publications.

12. Comments received in response to the issue of the prescribed Public Notices : The publication of the Public Notices specified in paragraph 11 above elicited the following further comments on the present application. These were received from the following specialists :—(1) Mr. Roger Conant (*Philadelphia Zoological Garden, Philadelphia, Pennsylvania, U.S.A.*) ; (2) Dr. Richard A. Edgren (*Division of Biological Research, Searle & Co., Chicago, Illinois, U.S.A.*) ; (3) Dr. Jay M. Savage (*Stanford University, Natural History Museum, Stanford, California, U.S.A.*). The communications so received are reproduced in the immediately following paragraphs. No objection to the action proposed was received from any source.

13. Support received from Mr. Roger Conant (Philadelphia Zoological Garden, Philadelphia, Pennsylvania, U.S.A.) : On 18th November, 1952 Mr. Roger Conant (*Philadelphia Zoological Garden, Philadelphia, Pennsylvania, U.S.A.*) addressed to the Commission a letter dealing, *inter alia*, with the present application, for which he intimated his support as follows :—

I am in favor of the conservation of the name *Crotalus atrox* as against *Crotalus cinereus* and *Crotalus polystictus* as against *Crotalus multimaculatus*, as suggested by Dr. L. M. Klauber, of San Diego, California.

14. Support received from Dr. Richard A. Edgren (Division of Biological Research, Searle & Co., Chicago, Illinois, U.S.A.) : On 24th November 1952, Dr. Richard A. Edgren (*Division of Biological Research, Searle & Co., Chicago, Illinois, U.S.A.*) addressed a letter to the Commission in support of the present and other applications. The following extract is that which deals with the present case :—

.

I am in favor of the validation of *Crotalus polysticta* (Cope, 1865).

15. Support received from Dr. Jay M. Savage (Stanford University, Natural History Museum, Stanford, California, U.S.A.) : On 28th November 1952, Dr. Jay M. Savage (*Stanford University, Natural History Museum, Stanford, California, U.S.A.*) addressed to the Commission a letter commenting upon a number of current cases and, as regards the present application, intimating his support as follows :—

Here again I concur with all of Dr. Klauber's requests regarding the name *Crotalus polystictus*.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

16. Issue of Voting Paper V.P.(54)34 : On 17th March 1954, a Voting Paper (V.P.(54)34) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the name *polysticta* Cope, 1865, as

published in the combination *Caudisona polysticta*, as set out in paragraph 7 on page 238 of volume 6 of the *Bulletin of Zoological Nomenclature*” [i.e. in paragraph 7 of the application reproduced in the first paragraph of the present *Opinion*].

17. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 17th June 1954.

18. Particulars of the Voting on Voting Paper V.P.(54)34 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)34 was as follows :—

(a) *Affirmative Votes had been given by the following eighteen (18) Commissioners (arranged in the order in which Votes were received) :*

Riley ; Holthuis ; Vokes ; Hering ; Bonnet ; Boschma ; Lemche ; Dymond ; do Amaral ; Sylvester-Bradley ; Esaki ; Mertens ; Bradley (J.C.) ; Hankó ; Pearson ; Jaczewski ; Stoll ; Hemming ;

(b) *Negative Votes, one (1) :*

Cabrera ;

(c) *Voting Papers not returned :*

None.

19. Declaration of Result of Vote : On 18th June 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)34, signed a Certificate that the Votes cast were as set out in paragraph 18 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

20. Preparation of the Ruling given in the present "Opinion" :

On 25th February 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)34.

21. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

multimaculata, *Crotalus lugubris* var., Jan, 1863, *Elenco sist. Ofidi* : 124
polysticta, *Caudisona*, Cope, 1865, *Proc. Acad. nat. Sci. Philad.* 17 : 191
triseriatus, *Uropsophus*, Wagler, 1830, *Naturl. Syst. Amphib.* : 176

22. Family-Group Names aspect : As the present *Opinion* is concerned only with certain specific names, no problem in relation to family-group names arises in the present case, as it would have done if this *Opinion* had been concerned also with generic names.

23. At the time of the submission of the application dealt with in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

24. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

25. The present *Opinion* shall be known as *Opinion* Three Hundred and Sixty-Six (366) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fifth day of February, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING